

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

228-049 (50198-109)

U.S. APPLIC. NO. (if known, see 37 CFR

15  
09/068935  
09/

INTERNATIONAL APPLICATION NO.

PCT/US96/18796

INTERNATIONAL FILING DATE

November 21, 1996

PRIORITY DATE CLAIMED

November 22, 1995

TITLE OF INVENTION

THERAPEUTIC AND DIAGNOSTIC AGENTS FOR THE TREATMENT OF MICROBIAL INFECTIONS

APPLICANT(S) FOR DO/EO/US

David PASCUAL, Clifford BOND, James BURRITT, Pati GLEE, John JUTILA, Mark JUTILA, Robert BARGATZE, Gordon MCFETERS, Barry PYLE, Jim E. CUTLER, and Yongmoon HAN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR\*1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information.

U.S. APPLIC. NO. (if known, see 37 CFR 1.50)	INTERNATIONAL APPLICATION NO. PCT/US96/18796	ATTORNEY'S DOCKET NUMBER 228-049 (50198-109)
--	---	---

  

	CALCULATIONS	PTO USE ONLY
17. <input checked="" type="checkbox"/> The following fees are submitted:		
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b>		
Search Report has been prepared by the EPO or JPO	\$930.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482)	\$720.00	
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))	\$790.00	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$1070.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	\$98.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		
		\$ 720.00
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00
Claims	Number Filed	Number Extra
Total Claims	54 -20 =	34
Independent Claims	14 -3 =	11
Multiple dependent claim(s) (if applicable)		+ \$270.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$ 2500.00
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).		\$
<b>SUBTOTAL =</b>		\$ 2500.00
Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$
<b>TOTAL NATIONAL FEE =</b>		\$ 2500.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$
<b>TOTAL FEES ENCLOSED =</b>		\$ 2500.00
		Amount to be: refunded \$
		charged \$
a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.		
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>500417</u> in the amount of \$ <u>2500.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.		
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.		
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.		
SEND ALL CORRESPONDENCE TO:		
SIGNATURE		
Robert L. Price		
NAME		
22,685		
REGISTRATION NUMBER		
May 21, 1998		
DATE		